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CLERK, U.S. DISTRICT COURT
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Name Luke Coburn Breining
Prison Number 535627
Place of confinement Anchorage Jail - Correctional Center West
Mailing address East 1406 - 41st West 99501
City, State, Zip Anchorage AK - 99501
Telephone 1-907-764-0674

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

Luke Coburn Breining,
(Enter full name of plaintiff in this action)

Plaintiff,

vs.

State of Alaska,
Dept of Corrections,

(Enter full names of defendant(s) in this action.
Do NOT use *et al.*)

Defendant(s).

Case No. 3:18-cv-00041-RRB
(To be supplied by Court)

PRISONER'S
COMPLAINT UNDER
THE CIVIL RIGHTS ACT
42 U.S.C. § 1983

A. Jurisdiction

Jurisdiction is invoked under 28 U.S.C. § 1343(a)(3).

B. Parties

1. Plaintiff: This complaint alleges that the civil rights of Luke Coburn Breining
(print your name)
who presently resides at 4910 Hartman Circle / Anchorage Jail - Correctional Center West
(mailing address or place of confinement)

were violated by the actions of the individual(s) named below.

2. **Defendants** (Make a copy of this page and provide same information if you are naming more than 3 defendants):

Defendant No. 1, Anchorage shift Sgt Hesse / Nurse [unclear] / other Pre-Booking [unclear] is a citizen of Alaska, and is employed as a State of Alaska - Depts of [unclear] Corrections.
(state) (name) (defendant's government position/title)

☒ This defendant **personally participated** in causing my injury, and I want **money damages**.

OR

☒ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

Defendant No. 2, All Correctional/Medical/C.O's involved is a citizen of Alaska, and is employed as a Department of Corrections.
(state) (name) (defendant's government position/title)

☒ This defendant **personally participated** in causing my injury, and I want **money damages**.

OR

☐ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

Defendant No. 3, All correctional / medical / C.O's involved is a citizen of Alaska, and is employed as a Dept of Corrections.
(state) (name) (defendant's government position/title)

☒ This defendant **personally participated** in causing my injury, and I want **money damages**.

OR

☐ The **policy or custom** of this official's government agency violates my rights, and I seek **injunctive relief** (to stop or require someone do something).

*****REMINDER*****

**You must exhaust your administrative remedies before your claim can go forward.
THE COURT MAY DISMISS ANY UNEXHAUSTED CLAIMS.**

C. Causes of Action (You may attach additional pages alleging other causes of action and facts supporting them if necessary. Make copies of page 5 and rename them pages 5A, 5B, etc. and rename the claims, "Claim 4," "Claim 5, etc.").

Claim 1: On or about can't remember due to memory damage, my civil right to
(Date)
Medical care - Access to the courts - Freedom from cruel unusual
(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom
from cruel and unusual punishment, etc. List only one violation.)
was violated by GO Campbell - C.O. Levas - All medical staff
(Name of the specific Defendant who violated this right) and Booking officers

Supporting Facts (Briefly describe facts you consider important to Claim 1. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument. Describe exactly what each defendant, by name, did to violate the right alleged in Claim 1.):

Breve - innotinatum
Upon Being Booked at anchorate correctional

Complex, I was involved in an altercation
with Booking and preBooking officers.
I was pepper sprayed upon becoming verbally
combative. I was Hog tied with two
sets of hand cuffs. One for my legs
another for my hands. After being beaten
I can't remember specifically But I was
lifted over the head of
the tallest Correctional Officer and
slammed directly on top of my head.
I saw a flash of white light and
sparks.

On a separate occasion
I was suspected of "concealing Narcotics"
inside my Body. Because of an incorrect Body
X-ray scan. I was placed on a "Dry cell"
protocol with a placard on the outside of
the cell - D.O.S protocol. The dry cell I
was put in was visibly filthy - Previous
Blood - fecal matter - urine - hair and
other particulates. A dry cell protocol last 3 days usually
This lasted 1 day - I was given - NO shower - NO Hygiene

Prisoner § 1983 - 3
PS01, Nov. 2013

Claim 2: On or about _____, my civil right to
(Date)

(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom from cruel and unusual punishment, etc. List only one violation.)

was violated by _____
(Name of the specific Defendant who violated this right)

Supporting Facts (Briefly describe facts you consider important to Claim 2. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument. Describe exactly what each defendant, by name, did to violate the right alleged in Claim 2.):

No tooth Brush - No Soap - After day 3, - I had ~~the~~ developed sores all over my Body. I spoke out to the shift Sergeant - no recompense - I received medical - my neck had staff infections - a Boil on my legs and knees. The pain was excruciating. They would not let me shower. They kept me naked, cold, and with a Body filled with painful festering sores. So much to the point that I was draining them daily to keep the infection from spreading to my Blood stream and in an act of silent Breivment - wiping the piss and the drags on the windows to show them what was happening to me. They would not let me go to court. By the time I went to court, my lawyer Kit Kunglala saw the sores on my Body. Also, mod workers in echo saw sores on my Body - Brian Butler -

Toby Spece,
galliellos.

Prisoner § 1983 - 4
PS01, Nov. 2013

Claim 3: On or about _____, my civil right to
(Date)

(Medical care, access to the courts, due process, freedom of religion, free speech, freedom of association, freedom from cruel and unusual punishment, etc. List only one violation.)

was violated by _____
(Name of the specific Defendant who violated this right)

Supporting Facts (Briefly describe facts you consider important to Claim 3. State what happened briefly and clearly, in your own words. Do not cite legal authority or argument. Describe exactly what each defendant, by name, did to violate the right alleged in Claim 3.):

Now I have trouble sleeping - I
cry and go into a full on panic
attack every time I go into a
dry cell. I have memory problems,
I take anti anxiety medication.
my Back requires pain management
and surgery. I have suffer
personal, private, public injuries
because of this. ~~My~~ My
modeling ~~career~~ career has been put
on hold because of the mental,
emotion and physical scars I
have to fix and tend to and
the health I need to put
for that I don't have money
for.

D. Previous Lawsuits

1. Have you begun other lawsuits in **state or federal court** dealing with the **same facts** involved in this action, **or otherwise relating to your imprisonment**? _____ Yes ☒ No

2. If your answer is "Yes," describe each lawsuit.

a. Lawsuit 1:

Plaintiff(s): _____

Defendant(s): _____

Name and location of court: _____

Docket number: _____ Name of judge: _____

Approximate date case was filed: _____ Date of final decision: _____

Disposition: _____ Dismissed _____ Appealed _____ Still pending

Issues Raised: _____

b. Lawsuit 2:

Plaintiff(s): _____

Defendant(s): _____

Name and location of court: _____

Docket number: _____ Name of judge: _____

Approximate date case was filed: _____ Date of final decision: _____

Disposition: _____ Dismissed _____ Appealed _____ Still pending

Issues Raised: _____

3. Have you filed an action in federal court that was dismissed because it was determined to be frivolous, malicious, or failed to state a claim upon which relief could be granted?

_____ Yes ☒ No

If your answer is "Yes," describe each lawsuit on the next page.

Lawsuit #1 dismissed as frivolous, malicious, or failed to state a claim:

- a. Defendant(s): _____
- b. Name of federal court _____ Case number: _____
- c. The case was dismissed as: ___ frivolous, ___ malicious and/or ___ failed to state a claim
- d. Issue(s) raised: _____
- e. Approximate date case was filed: _____ Date of final decision: _____

Lawsuit #2 dismissed as frivolous, malicious, or failed to state a claim:

- a. Defendant(s): _____
- b. Name of federal court _____ Case number: _____
- c. The case was dismissed as: ___ frivolous, ___ malicious and/or ___ failed to state a claim
- d. Issue(s) raised: _____
- e. Approximate date case was filed: _____ Date of final decision: _____

Lawsuit #3 dismissed as frivolous, malicious, or failed to state a claim:

- a. Defendant(s): _____
- b. Name of federal court _____ Case number: _____
- c. The case was dismissed as: ___ frivolous, ___ malicious and/or ___ failed to state a claim
- d. Issue(s) raised: _____
- e. Approximate date case was filed: _____ Date of final decision: _____

4. Are you in imminent danger of serious physical injury? ___ Yes ___ No

If your answer is "Yes," please describe how you are in danger, without legal argument/authority: _____

F. Request for Relief

Plaintiff requests that this Court grant the following relief:

1. Damages in the amount of \$ 9.4 million USD
2. Punitive damages in the amount of \$ 3 million USD
3. An order requiring defendant(s) to never treat prisoners or drug addicts
4. A declaration that this will never happen ever again *Real life that again*
5. Other: _____

Plaintiff demands a trial by jury. ☒ Yes ☐ No

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that s/he is the plaintiff in the above action, that s/he has read the above civil rights complaint and that the information contained in the complaint is true and correct.

Executed at Anchorage, Alaska ^{West} on February 08 2018
(Location) (Date)
[Signature]
(Plaintiff's Signature)

Original Signature of Attorney (if any)

(Date)

Kit Kargula
1-907-744-5460

Attorney's Address and Telephone Number

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1100 WEST 4TH AVE
ANCHORAGE AK 99501



netpost
02/12/2018
US POSTAGE \$002.26
ZIP 99501
04/11/1263886

UNITED STATES DISTRICT COURT
DISTRICT OF ALASKA
CLERK OF COURT
FEDERAL BUILDING - U.S. COURTHOUSE
222 W. 7TH AVENUE, #4
ANCHORAGE, ALASKA 99513-7564